

## **REMARKS**

This response is accompanied by a Petition For Extension of Time and associated fee, extending the period for response from September 19, 2006 to October 19, 2006.

The above amendments and these remarks are responsive to the Office action dated June 19, 2006. Claims 1-16 are pending in the application. In the Office action, the Examiner rejected all of the claims as being anticipated by or obvious in view of Collins et al. (5,455,590). Claims 1-3, 5-7 and 10-15 are amended. In view of the amendments above, and the remarks below, applicants respectfully request reconsideration of the application under 37 C.F.R. § 1.111 and allowance of the pending claims.

### **Rejections under 35 USC § 102**

Original claims 1-3, 5-7, and 10-15 were rejected as being anticipated by Collins. Claim 1, as amended, is directed to A surveillance system comprising a first sensor apparatus adapted to transmit toward and receive from a subject in a subject position, first electromagnetic radiation in a frequency range of about 100 MHz to about 2 THz, from positions spaced from the subject position, the subject including at least a portion of a person in a subject position and detectable objects carried by the person, the first sensor apparatus producing from the received radiation, a first image signal representative of a first image of at least a portion of the subject; a second sensor apparatus different than the first sensor apparatus, and adapted to detect a given characteristic of an object potentially carried by the person, and to produce a sensor

signal representative of the detection the given characteristic; and a controller adapted to control operation of the first and second sensor apparatus, and to produce, from the image signal, image data representative of the image of the at least a portion of the subject and sensor data from the sensor signal, to relate the image data to the sensor data, and to produce from the related image data and sensor data, relational information data about whether the person is potentially carrying an object having the given characteristic.

Collins discloses a surveillance system in which video cameras record a visual image of a person being scanned with electromagnetic radiation by a holographic surveillance system. The video cameras simply record the visual image of the person and display it next to a display of the electromagnetic scan. The video cameras do not detect a given characteristic of an object potentially carried by a person in the subject position. The Random House Unabridged Webster's Dictionary defines "detect" as "to discover the existence of". The video cameras may record the existence of the person and any objects carried by the person, but no given characteristic within the visual image of an object potentially carried by a person is detected. Further, Collins does not produce a sensor signal representative of the detection the given characteristic; and Collins does not disclose a controller adapted to produce sensor data from the sensor signal, to relate the image data to the sensor data, or to produce from the related image data and sensor data, relational information data about whether the person is potentially carrying an object having the given characteristic. The Collins system only displays the video image, and it does not relate data derived from the video image in

any way. There is no suggestion or disclosure of any detection of object characteristics from the video image, or relating of video data and scanned image data, or producing any relational information data about whether the person is carrying an object having the given characteristic. Collins' surveillance system thus may be said to provide two sensors, but it relies on the operator to determine any relationship between the visual image and the scanned image.

In order for Collins to anticipate the claimed invention, it must disclose all of the claimed features. Because the above features are not disclosed by Collins, and they are not suggested by or otherwise obvious in view of Collins, claim 1 and the claims that depend from it are patentably distinguishable from Collins. Accordingly, applicants submit that withdrawal of the rejection of amended claims 1-3, 5-7 and 10-15 is appropriate.

As amended, claim 10 is directed to a method of surveilling a subject in a subject position, the subject including a person and objects carried by the person, comprising transmitting toward a subject in a subject position, first electromagnetic radiation in a frequency range of about 100 MHz to about 2 THz, from positions spaced from the subject position, the subject including at least a portion of a person in a subject position and detectable objects carried by the person; receiving from the subject reflected transmitted radiation; producing from the received radiation, a first image signal representative of a first image of at least a portion of the subject; detecting a given characteristic of an object potentially carried by a person in the subject position, not based on the first image signal; producing, from the image signal and the detected

characteristic, image data representative of the image of the at least a portion of the subject, and detection data representative of the detection of the given characteristic; relating the image data to the detection data; and producing from the related image data and detection data, relational information data about whether the person is potentially carrying an object having the given characteristic.

As discussed above, Collins discloses a surveillance system in which video cameras record a visual image of a person being scanned with electromagnetic radiation by a holographic surveillance system. The video cameras simply record the visual image of the person and display it next to a display of the electromagnetic scan. The video cameras, or the surveillance system with the video cameras do not detect a given characteristic of an object potentially carried by a person in the subject position, not based on the electromagnetic scan image signal, produce detection data representative of the detection of the given characteristic; relate image data to detection data; or produce from the related image data and detection data, relational information data about whether the person is carrying an object having the given characteristic.

Accordingly, Collins does not disclose or suggest these actions required by amended claim 10, and the applicants submit that withdrawal of the rejection of claims 10-15 is appropriate.

### **Rejections under 35 USC § 103**

Original claims 4, 8, 9 and 16 were rejected as being obvious in view of Collins.

These claims are patentable for at least the reasons that amended claims 1 and 10 from which they depend are patentable, as discussed above. Accordingly, applicants submit that withdrawal of the rejections of these claims is appropriate.

Applicants believe that this application is now in condition for allowance, in view of the above amendments and remarks. Accordingly, applicants respectfully request that the Examiner issue a Notice of Allowability covering the pending claims. If the Examiner has any questions, or if a telephone interview would in any way advance prosecution of the application, please contact the undersigned attorney of record.

CERTIFICATE OF ELECTRONIC  
SUBMISSION

I hereby certify that this correspondence is being submitted electronically via the United States Patent & Trademark Office EFS-Web System on October 19, 2006.

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Respectfully submitted,

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